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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,539	11/19/2003	Jean-Luc Veux	P24378	5585
7055	7590	08/03/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			BELLINGER, JASON R	
			ART UNIT	PAPER NUMBER
			3617	

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/715,539

Applicant(s)

VEUX ET AL.

Examiner

Jason R. Bellinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04/19/04</u> | 6) <input type="checkbox"/> Other: _____ |

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Election/Restrictions

1. Applicant's election without traverse of invention I, drawn to claims 1-9 and 11-21, in the reply filed on 4 April 2005 is acknowledged.
2. Claim 10 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 4 April 2005.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 48. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The abstract of the disclosure is objected to because the phrase "rim base" should be replaced with the phrase --sealing strip-- or --filler strip-- in order to more clearly describe the invention.

Correction is required. See MPEP § 608.01(b).

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following titles are suggested: Filler Strip for a Rim, or Sealing Strip for a Rim.

6. The disclosure is objected to because of the following informalities: The phrase "rim base" should be replaced with the phrase --sealing strip-- or --filler strip-- throughout the specification, in order to more clearly describe the invention. One of ordinary skill in the art would consider a "rim base" to be a portion of a wheel rim that connects to element(s) that connect the rim to a hub portion to form the wheel. One of ordinary skill in the art would describe the "rim base" of the instant invention as being a "sealing strip" or a "filler strip".

It is possible that the phrase "rim base" is the result of a literal translation of a foreign document. A text search for the phrase "rim base" would generally yield references dealing with the structure of a wheel rim itself, and not a sealing or filler strip mounted on the rim.

Appropriate correction is required.

Claim Objections

7. Claims 1-9 and 11-19 are objected to because of the following informalities: The phrase "rim base" should be replaced with the phrase --sealing strip-- or --filler strip-- throughout the claims, in order to more clearly describe the invention, for the reasons set forth in paragraph 6 above.

In line 4 of claim 2, the term --said-- should be inserted prior to the term "uppermost" for grammatical clarity.

The term "or" should be replaced with the term --and-- prior to the term "grooves" in line 3 of claim 16, since grooves do not project from a surface. The phrase "grooves or ridges" should be replaced with the phrase --ridges and grooves-- in line 5 of claim 16 and line 3 of claim 6, for the same reasons set forth immediately above. These corrections would more clearly describe the invention.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

9. Claims 1-9 and 11-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is indefinite due to the fact that it is unclear what element of the invention (the "rim base", the rim, or the wheel) has an "outer annular channel" as set forth in line 2 of the claim. The phrase "the channel having an upper bridge" as set forth in line 3 of the claim is indefinite due to the fact that it is unclear what is actually being claimed. As shown in the drawings, the outer annular channel is formed by the upper bridge of the rim. Therefore, the rim includes an upper bridge, not the channel. The claim is further indefinite due to the fact that it is unclear what element of the invention includes "opposite lateral edges" that border the central well. In line 13 of the claim, it is unclear whether a single specific "lateral extension" or both "lateral extensions" are being referred to.

Claims 9 and 19 are indefinite due to the fact that it is unclear what is actually being claimed. It is unclear if the valve hole is an element of the "rim base" of the rim.

Claim 9 is further indefinite due to the fact that by no clear direction has been set forth by the limitation that the flange projects in "a direction interiorly of the rim base".

Claim 11 is indefinite due to the fact that it is unclear what direction the pair of lips extends "inward" in line 21.

10. Claim 1 recites the limitations "the channel" and "said central groove" in lines 3 and 11-12, respectively. There is insufficient antecedent basis for this limitation in the claim.

An "outer annular channel" has been previously set forth in the claim, however it is unclear whether the limitation "the channel" is referring to the "outer annular channel" or is referring to an additional element of the invention altogether.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 11-13, 16, and 20-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakasaki. As best understood, Nakasaki shows a rim 3 having an outer annular channel that includes a pair of lateral flanges 3c having a pair of laterally opposed lips 3d at the radially outer ends of each flange 3c. A bridge 3a extends between the lateral flanges 3c, and includes a pair of lateral edges 3b extending inwardly from the lateral flanges 3c toward a median plane of the rim 3 and a well extending inwardly from the lateral edges 3b.

A "rim base" or sealing strip 4 is positioned within the outer annular channel. The "rim base" or sealing strip 4 includes a depression positioned over the well of the bridge 3a that forms a radial groove adapted to receive a pair of beads 9 of a tire 1. A pair of lateral extensions 4a extends laterally outwardly from the depression, and is positioned over the lateral edges 3b of the bridge 3a. A pair of walls extends radially from the lateral extensions 4a, and is positioned along the lateral flanges 3c of the rim 3. A pair

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of lips (namely the outer most ends of the walls of the sealing strip 4) extends inward from the walls (since the lips and walls are formed by the lateral extensions 4a), while not extending radially outwardly beyond the lips 3d of the flanges 3c.

The lips of the lateral extensions 4a have radially outermost ends positioned no further radially than the outermost ends of the lips 3d of the flanges 3c of the rim 3. The well of the bridge 3a includes a pair of lateral walls (namely formed by the lateral edges 3b) that include projecting ridges and grooves 7. The depression of the sealing strip 4 includes a pair of lateral walls (namely formed by the lateral extensions 4a) having projecting ridges and grooves 8 that mechanically connect with the ridges and grooves 7 of the annular channel of the rim 3.

Each lip of the sealing strip 4 has an exterior support surface (namely the radially outermost end of the lateral extension 4a) that is oriented substantially perpendicular to a general direction of the walls of the sealing strip 4. The rim includes a plurality of spokes mounted in openings in the rim 3 (see column 1, lines 9-14).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1-3 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lacombe et al in view of Nakasaki. As best understood, Figures 6-7 of Lacombe et

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al show a wheel having a rim 2 with an upper bridge 10 that forms an outer annular channel on which a tire 5 may be mounted. The upper bridge 10 includes a central well 20 bordered with opposite lateral edges (24-25), with a pair of opposite lateral flanges (14-15) that are substantially parallel to the radial plane of the rim 2. Each lateral flange (14-15) includes laterally opposed lips (16-17) at the upper ends thereof. A "rim base" or sealing strip 34 engages the central well 20 of the rim 2. A valve hole 18 is bordered with a flange that projects in a direction inwardly (namely to connect with the lower bridge 11) of the sealing strip 34.

Lacombe et al does not show the "rim base" or sealing strip 34 extending beyond the central well 20. Nakasaki teaches the use of a rim 3 having an outer annular channel that includes a pair of lateral flanges 3c having a pair of laterally opposed lips 3d at the radially outer ends of each flange 3c. A bridge 3a extends between the lateral flanges 3c, and includes a pair of lateral edges 3b extending inwardly from the lateral flanges 3c toward a median plane of the rim 3 and a well extending inwardly from the lateral edges 3b.

A generally U-shaped "rim base" or sealing strip 4 is positioned within the outer annular channel. The "rim base" or sealing strip 4 includes a depression positioned over the well of the bridge 3a that forms a radial groove adapted to receive a pair of beads 9 of a tire 1. A pair of lateral extensions 4a extends laterally outwardly from the depression, and is positioned over the lateral edges 3b of the bridge 3a. A pair of walls extends radially from the lateral extensions 4a, and is positioned along the lateral flanges 3c of the rim 3. A pair of lips (namely the outer most ends of the walls of the

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sealing strip 4) extends inward from the walls (since the lips and walls are formed by the lateral extensions 4a), while not extending radially outwardly beyond the lips 3d of the flanges 3c. Namely, the lips of the lateral extensions 4a of the sealing strip 4 have uppermost ends position at a height with respect to a cross section of the sealing strip 4 that allows the lips to be positioned no higher than the uppermost ends of the lips 4d of the flanges 4c of the rim 4.

Each lip of the sealing strip 4 has an exterior support surface (namely the radially outermost end of the lateral extension 4a) that is oriented substantially perpendicular to a general direction of the walls of the sealing strip 4.

While Nakasaki does not specify that the lips of the sealing strip 4 projects approximately 0.85mm from the respective inner surface of the walls of the sealing strip 4, it would have been obvious to one of ordinary skill in the art at the time of the invention to form the lips with a thickness sufficient to function properly at sealing the rim without interfering with the seating of the tire on the rim.

The U-shaped groove is formed by lateral walls (namely formed by the lateral extensions 4a) having projecting ridges and grooves 8 that mechanically connect with the ridges and grooves 7 of the central well of the rim 3.

Therefore from this teaching, it would have been obvious to one of ordinary skill in the art at the time of the invention to form the "rim base" or sealing strip of Lacombe et al with the characteristics as taught by Nakasaki as a substitution of equivalent sealing strips, for the purpose of more positively sealing the rim and reducing the chance of the sealing strip from moving out of place during mounting of a tire on the rim.

15. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lacombe et al in view of Nakasaki as applied to claims 1-3 and 5-6 above, and further in view of Simpson. Lacombe et al as modified by Nakasaki does not show the lips of the "rim base" or sealing strip having a cross section that narrows in a direction extending toward the median plane of the sealing strip (namely the axial direction).

Simpson teaches the use of a sealing strip 31 having lips (32-34) wherein the cross section narrows (as the sealing strip 31 progresses from lip end 34 to lip (32-33)) axially towards the median plane of the sealing strip 31. Therefore from this teaching, it would have been obvious to one of ordinary skill in the art at the time of the invention to form the "rim base" or sealing strip of Lacombe et al as modified by Nakasaki with an axially decreasing cross section for the purpose of reducing the amount of space taken up by the sealing strip and thus allowing the tire beads to properly seat on the rim.

16. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakasaki as applied to claims 11-13, 16, and 20-21 above, and further in view of Simpson. Nakasaki does not show the lips of the "rim base" or sealing strip having a cross section that narrows in a direction extending toward the median plane of the sealing strip (namely the axial direction).

Simpson teaches the use of a sealing strip 31 having lips (32-34) wherein the cross section narrows (as the sealing strip 31 progresses from lip end 34 to lip (32-33)) axially towards the median plane of the sealing strip 31. Therefore from this teaching, it

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would have been obvious to one of ordinary skill in the art at the time of the invention to form the "rim base" or sealing strip of Nakasaki with an axially decreasing cross section for the purpose of reducing the amount of space taken up by the sealing strip and thus allowing the tire beads to properly seat on the rim.

17. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakasaki. While Nakasaki does not specify that the lips of the sealing strip 4 projects approximately 0.85mm from the respective inner surface of the walls of the sealing strip 4, it would have been obvious to one of ordinary skill in the art at the time of the invention to form the lips with a thickness sufficient to function properly at sealing the rim without interfering with the seating of the tire on the rim.

18. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakasaki as applied to claims 11-13, 16, and 20-21 above, and further in view of Chen. As best understood, Nakasaki does not show the "rim base" or sealing strip having a valve hole with a flange that projects radially inward from the sealing strip.

In Figures 4-6, Chen teaches the use of a "rim base" 62 that includes a valve hole 602 bordered by a flange 61 that projects radially inward from the "rim base" 62.

Therefore from this teaching, it would have been obvious to one of ordinary skill in the art at the time of the invention to form the "rim base" or sealing strip of Nakasaki with a valve hole bordered by a radially inwardly projecting flange for the purpose of

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providing a sealing means between a valve stem and the rim, thus providing an airtight rim.

Allowable Subject Matter

19. Claims 7-8 and 17-18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references are considered to show rims having sealing strips mounted in the rim well. For example, Lo shows a rim of the type described above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason R. Bellinger whose telephone number is 703-308-6298. The examiner can normally be reached on Mon - Thurs (9:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Morano can be reached on 703-308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason R Bellinger
Examiner
Art Unit 3617

JASON R. BELLINGER
PATENT EXAMINER

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